which I must flee from. If the man did not go into the woods, then he must have gone up the road.

"Peor, Unfortunate Neblett."

"And now we come to poor, unfor-tunate Neblett, the ma: who under-took to say that he saw Paul Beattle with a gun to with a gun, to unfortunate man who was so overwhelmed by impeachment. Four or five men said that Paul had no gun that Sunday morning. It was like provin an allbl. Ha is overwhelmed by the men who told without equi ocation that Paul did not have a g.m.

out equi ocation that Paul did not have a g.3n.

"I propise to discharge my duty as I see it I kn w only two persons in this transaction—Henry Clay Beattle, Jr., and his slain wife. Only these two are known to me now. But there is a whole community, not only in this county, but in the whole Commonweith which needs protection, which needs law to protect virtue, civilization and Christianity. And I shall not hesitate to do my duty.

"His Honor has told you that you have to weigh the evidence, and in doing so that you are to consider the relative coaduct these people who have testified have to each other and to the prisoner. I call your attention now to a comparishm between virtue and vice, and I shall do it as I see it. Who have been on this stand to speak for Henry? Has there been anybody but his own people, anybody but his father I have nothing to say. For him I have nothing to say. For him I have nothing but approval. I am the head of a family, and he has my sympathy. But the prisoner has not, it is not my fault, and I cannot shoulder the responsibility. Every member of the Beattle family has given vu to

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Department areas and the second was such

LAWYER'S ANALYSIS OF BEATTIE INSTRUCTIONS

A prominent Richmond attorney, known throughout the State as one of the most thorough-going students of law in the profession, yesterday prepared for The Times-Disputch the following analysis of the court's instructions in the Benttle case:

any prepared for The Times-Disparch the following analysis of the court's instructions in the Benttle case:

"The instructions of the court in the Benttle case do not seem to me to be any more favorable to the prisoner than he is clearly entitled to have them under the law of this Commonwealth. Under our system of jurisproaches a prisoner, though charged with a crime by indictment of a grand jury, is presumed to be innecent of that particular crime until the petit jury reaches a verdict to the contrary, and fluids him guilty; and the Commonwealth hears the burden of proving the prisoner guilty in the exact manner in which it charges his guilt. The instant instructions contain only a few propositions of law, but state them in various ways in order more surely to make known to the jury the prisoner's cights under the law. They mnounce no new or unusual doctrines, and they seem to be amply sustained by the law as inid down by the Sarcine Court of Appenls of Virginia in Dean's Care, 22 Graft, 512; Cluverius's Case, 80 Vm, 787; Porterfich's Case, 81 Vm, 801; and Bundick's Care, 37 Vm, 783; and by the Supreme Court of the United States in Edington vn, U. S., 17 S. C. Rep., 72, the latter court citing or as from illinois, Massachusetts, Pennsylvania, New York and Michigan on the question of the generation of a reasonable doubt by proof of good character. As the evidence in this case is largely circumstantial, the court's instructions seem to rest upon the hon-book law on that subject, which Starkle, a great authority on the law of evidence, lays down as follows: 1. All the circumstances, from which the conclusion is drawn, should be fully established. 2. All the facts should be consistent with the hypothesia. 2. It is essential that the circumstances should, to a n/ral certainty, exclude every hypothesis but the one proposed."

has given that the gun he purchased is the gun that is now in evidence, and that he delivered that gun on saturflay night preceding the crime to the accused. Without that testimony there is here no case. If that is testimony, there is ground for a reasonable doubt, and the case is at the end. We have shown that the testimony of Paul Benttie is unreliable. If we can touch Paul the case goes out.

out.

"The statement that he made here and the way that they say that Henry Benttle committed his crime is unreasonable and unnatural.

If he desired to kill his wife why should he select an old second-hand shetgun—hard to conceal. Had he kept such a gun from Saturday to Tuesday the chances are strong that some one would have seen it. Why not take the pistol in his brother's room, which he could have gotten without comment? Why go at it in this bunglesome way? Why did he get the gan? It is unnatural, unreasonable, and, in my judgment, the height of folly.

"Why should Paul Beattle have been and the could be the control of the could be the control of the could be seen to the could be get the gan." It is unnatural, unreasonable, and, in my judgment, the height of folly.

able, and, in my judgment, the height of folly.

"Why should Paul Beattie have kept this gun hidden and secret? Not only he did not lot arybody see it, but he never mentioned its purchase until the Thursday night after the crime. He says he was not told to conceal it—that he had no dream it was for any improper purpose; that there was no reason why it should not have been shown. It was an unusual purchase for a man like Paul Beattie to make. shown. It was an unusual purchase for a man like Paul Beattle to make.

Washington CRISPS



